

Remarks

This Response to Office Action is responsive to the Office Action mailed on November 7, 2005. Entry of this Response and reconsideration of the instant application in view thereof are respectfully requested.

Claims 1-10 are pending in the above-referenced Application. Claims 8-10 are withdrawn. Claims 1-5 are rejected. Claims 6 and 7 are objected to.

Claims 1, 2 and 5-7 have been amended. Support for these amendments is found in the original claims. Claim 4 has been canceled. Claims 11-18 have been added. Support for these amendments is found in the original claims and on pages 5, 6, and 8 of the specification. No new matter has been added.

Election/Restrictions

The provisional election of Group I, claims 1-7 with traverse is affirmed.

Rejection under 35 U.S.C. §102 and §103

Claims 1, 4 and 5 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shiratsuchi et al. (U.S. Patent No. 5,856,379). In view of the above amendments, Applicant submits that Shiratsuchi et al. neither teach nor disclose the claimed invention because Shiratsuchi et al. teach an aqueous dispersion of silica core/shell particles without polymer particles. Thus, Applicant requests this rejection be withdrawn.

Claims 1, 4 and 5 are rejected under 35 U.S.C. §103(a) as being unpatentable over Greenwood et al. (U.S. Publication No. 2004/0097600) taken with Dorn (U.S. Patent No. 4,927,749). In view of the above amendments, Applicant submits that Greenwood et al. taken with Dorn does not teach or disclose the claimed invention because neither reference alone or in combination discloses the claimed process or aqueous silica dispersions having 5-25 weight % dispersing agent and polymer particles. As such, Applicant requests this rejection be withdrawn.

Claims 1-3 are rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Miyosawa (U.S. Patent No. 4,330,446). Applicants submit that Miyosawa neither teaches nor discloses an aqueous silica dispersion with polymer particles.

Miyosawa discloses an aqueous dispersion of colloidal silica, water soluble or water dispersible organic polymer and organic polymer of silane compound. See, claim

1. However, Miyosawa does not disclose an aqueous dispersion with polymer particles. The mere mention of an addition of "water soluble or water dispersible resin usually used and compatible with the silica complex of the invention" "to adjust the characteristics of the film as desired" (see, col. 7, lines 34-37) does not suggest to one of ordinary skill in the art to add 1 to 25 weight % polymer particles to the aqueous dispersion. In fact, Applicant describes in the Application that problems may occur when adding polymer particles to the dispersion. See, Application, p. 14. Thus, Applicants request this rejection be withdrawn.

Claims 1 and 3 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mihoya et al. (U.S. Patent No. 5,719,206). In view of the above amendments, Applicant submits that Mihoya et al. neither teach nor an aqueous silica dispersion with polymer particles. As such, Applicants request this rejection be withdrawn.

Objection

Claims 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the above amendments, this objection should be withdrawn and claims 6 and 7 deemed allowable.

Conclusion

In view of the above remarks, Applicants believe that the pending claims are in condition for allowance, and early and favorable action is earnestly solicited.

This Paper is believed to be timely filed. If any fees are deemed required for consideration of this Response, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 18-1850.

Respectfully submitted,

February 7, 2006

Date



KIM R. JESSUM

Attorney for Applicants

Registration No. 43,694

Direct Dial: 215-592-3689

ROHM AND HAAS COMPANY
100 Independence Mall West
Philadelphia, PA 19106-2399